

## **Federal Operating Permit Article 1**

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Dynax America Corporation
Facility Name:	Dynax America Corporation
Facility Location:	568 East Park Drive Roanoke, Virginia (in Botetourt County)
Registration Number:	21279
AIRS Number:	51-023-0039
Permit Number:	WCRO-21279

Effective Date: November 1, 2003

Modified Date: October 19, 2007

Expiration Date: October 31, 2008

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Steven A. Dietrich, P.E.  
Regional Director, Department of Environmental Quality

Permit Signature Date: October 19, 2007

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## **I. Facility Information**

### **Permittee**

Dynax America Corporation  
568 East Park Drive  
Roanoke, VA 24019

### **Responsible Official**

Masaki Motomura  
Executive Vice-President

### **Facility**

Dynax America Corporation  
568 East Park Drive  
Roanoke, VA 24019

### **Contact Person**

Douglas J. Feuerbach  
Environmental Engineer  
540-777-9471

**Registration Number:** 21279

**AIRS Identification Number:** 51-023-0039

**Facility Description:** SIC Code 3714 – Automotive Parts Manufacture  
NAICS Code 336350 – Motor Vehicle Transmission and Power Train Parts Manufacturing

The facility is a Title V major source of volatile organic compounds and Hazardous Air Pollutants. This source is located in an attainment area for all pollutants (emission control area for volatile organic compounds and nitrogen oxides), and is a PSD synthetic minor source for all pollutants. No NSPS standards apply to the facility on the date of issuance of this permit. On the date of issuance of this permit, the following MACT requirements apply to portions of the facility: Subpart JJJJ Standard for Paper and Other Web Coating Processes and Subpart MMMM – Standard for Miscellaneous Metal Parts Coating. This permit was modified to include the installation of a fourth roll coating line permitted in August 2006, principally for operational flexibility rather than additional capacity. This permit also includes conditions from the NSR permit revision of June 2007 related to Dynax's methodology for MACT compliance with Subparts JJJJ and MMMM. The facility will continue to demonstrate MACT JJJJ coating is the predominant activity so MACT MMMM compliance may be demonstrated by MACT JJJJ compliance of MACT MMMM subject coating operations.

## II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity *	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	MACT	Applicable Permit Date
<b>Manufacturing Process Equipment</b>								
Surface Treatment Operations								
ST1	S2	Alkaline degreasing/acid etching	30 tons/yr	scrubber	PCD2	HCl		6/20/07
ST2	S4	Alkaline degreasing/acid etching	90 tons/yr	scrubber	PCD4	HCl	JJJJ	6/20/07
Saturation Operations								
Sat1	S1	Vacuum dip tank, drying oven & curing	68 tons/yr	afterburner	PCD1	VOC, HAP		6/20/07
Sat2	S3	Dip tank, drying oven & curing	1231 tons/yr	afterburner	PCD3	VOC, HAP		6/20/07
SatSolv	S1&S3	Solvent cleaning & thinning	1419 tons/yr	afterburner <sup>1</sup>	PCD1/PCD3	VOC, HAP		6/20/07
Adhesive Operations								
Adh1	S1	Disc Line 1 roll coaters	15 tons/yr	afterburner	PCD1	VOC, HAP	MMMM <sup>2</sup>	6/20/07
Adh2	S3	Disc Lines 2, 3, & 4 roll coaters	88 tons/yr	afterburner	PCD3	VOC, HAP	MMMM <sup>2</sup>	6/20/07
TC	S3	Torque converter line	113 tons/yr	afterburner	PCD1	VOC, HAP		6/20/07
AdhSolv	S1&S3	Solvent cleaning & thinning	551 tons/yr	afterburner <sup>1</sup>	PCD1/PCD3	VOC, HAP	MMMM <sup>2</sup>	6/20/07
		<sup>1</sup> except for reservoir charging						

\*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

<sup>2</sup> MACT MMMM subject lines will demonstrate compliance with MACT JJJJ so long as MACT JJJJ coating is the predominant activity at the facility

### III. Process Equipment Requirements

#### A. Limitations

1. **Emission Controls** - Volatile organic compound (VOC) emissions from the saturation lines (Sat1 & Sat2), the adhesive lines (Adh1 & Adh2), the torque converter line (TC), and the cleaning process portion of solvent cleaning (SatSolv) shall be controlled by incineration. The incineration units shall have a minimum destruction efficiency of 97.5 percent and a minimum set point temperature as determined by performance testing acceptable to VDEQ demonstrating compliance with the minimum destruction efficiency. The incinerator/afterburner units shall be equipped with continuous temperature sensors at or near the chamber exit to indicate the temperature in the chamber. The chamber temperature shall be continuously recorded. The incinerator/afterburner units shall be provided with adequate access for inspection and shall be in operation when the aforementioned processes are operating. The incinerator/afterburner units will be in operation when any production operations vented to the respective incinerator/ afterburner units are in operation.  
(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 2 of the 6/20/07 NSR Permit)
2. **Emission Controls** - Acidic emissions from the surface treatment lines (ST1 & ST2) shall be controlled by alkaline scrubbers having a minimum control efficiency of 98.0 percent. Each scrubber shall be provided with adequate access for inspection and shall be in operation when the respective surface treating process is operating.  
(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 3 of the 6/20/07 NSR Permit)
3. **Emission Controls** - Acidic emissions from the surface treatment lines (ST1 & ST2) shall be controlled by total enclosure of the process equipment.  
(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 4 of the 6/20/07 Permit)
4. **Emission Controls** - Volatile organic compound (VOC) emissions from the saturation lines (Sat 1 & Sat2) and the cleaning process portion of SatSolv shall be controlled by total enclosure of the process equipment. For Sat2 this means a permanent total enclosure meeting the Method 204 standard. For Sat1 this means total enclosure of the resin application area and the drying oven, but not the short conveyor section connecting the two areas.  
(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 5 of the 6/20/07 NSR Permit)
5. **Emission Controls** - Volatile organic compound (VOC) emissions from the adhesive lines (Adh1 & Adh2), and the torque converter line (TC) shall be controlled by hoods and enclosures sufficient to achieve at least 90.0% capture efficiency of VOCs from the aforementioned processes.  
(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 6 of the 6/20/07 NSR Permit)

6. **VOC Work Practice Standards** – At all times the disposal of volatile organic compounds shall be accomplished by taking measures, to the extent practicable, consistent with air pollution control practices for minimizing emissions. Volatile organic compounds shall not be intentionally spilled, discarded in sewers which are not connected to a treatment plant, or stored in open containers, or handled in any other manner that would result in evaporation beyond that consistent with air pollution practices for minimizing emissions.  
(9 VAC 5-80-110, 9 VAC 5-50-260, 9 VAC 5-50-20, and Condition 7 of the 6/20/07 NSR Permit)

7. **Throughput** - The cumulative throughput of volatile organic compounds used in the saturation lines (Sat1 & Sat2) and the saturation line dilution and cleaning process (SatSolv) shall not exceed the limits stated below, calculated monthly as the sum of each consecutive 12 month period:

Volatile Organic Compounds	280.5 tons/month	2,337.4 tons/yr
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(9 VAC 5-80-110, 9 VAC 5-80-1180, and Condition 9 of the 6/20/07 NSR Permit)

8. **Throughput** - The cumulative throughput of volatile organic compounds used in the adhesive lines (Adh1 & Adh2), the torque converter line (TC), and the adhesive dilution and cleaning process (AdhSolv) shall not exceed the limits stated below, calculated monthly as the sum of each consecutive 12 month period:

Volatile Organic Compounds	81.8 tons/month	682.0 tons/yr
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(9 VAC 5-80-110, 9 VAC 5-80-1180, and Condition 10 of the 6/20/07 NSR Permit)

9. **Fuel** - The approved fuel for the incinerators/afterburners is natural gas. A change in the fuel may require a permit to modify and operate.

(9 VAC 5-80-110, 9 VAC 5-80-1180, and Condition 11 of the 6/20/07 NSR Permit)

10. **Emission Limits** - Emissions from the operation of the saturation lines (Sat1 & Sat2) and the saturation line dilution and cleaning process (SatSolv) shall not exceed the limits specified below:

Volatile Organic Compounds	18.6 lbs/hr	55.9 tons/yr
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Compliance with hourly emission rate shall be determined by dividing the monthly emissions by the operating hours for the month. Annual emissions calculated monthly as the sum of the previous consecutive twelve month period.

(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 14 of the 6/20/07 NSR Permit)

11. **Emission Limits** - Emissions from the operation of the adhesive lines (Adh1 & Adh2), the torque converter line (TC), and the adhesive dilution and cleaning process (AdhSolv), including fugitive emissions, shall not exceed the limits specified below:

Volatile Organic Compounds	30.4 lbs/hr	91.2 tons/yr
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Compliance with hourly emission rate shall be determined by dividing the monthly emissions by the operating hours for the month. Annual emissions calculated monthly as the sum of the previous consecutive twelve month period.

(9 VAC 5-80-110, 9 VAC 5-50-260 and Condition 15 of the 6/20/07 NSR Permit)

12. **Visible Emission Limit** - Visible emissions from the incinerators/afterburners shall not exceed five percent (5%) opacity except during one six-minute period in any one hour in which visible emissions shall not exceed ten percent (10%) opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).

(9 VAC 5-80-110, 9 VAC 5-50-80, 9 VAC 5-50-260, and Condition 17 of the 6/20/07 NSR Permit)

13. **Visible Emission Limit** - Visible emissions from the alkaline scrubbers shall not exceed five percent (5%) opacity except during one six-minute period in any one hour in which visible emissions shall not exceed ten percent (10%) opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).

(9 VAC 5-80-110, 9 VAC 5-50-80, 9 VAC 5-50-260, and Condition 18 of the 6/20/07 NSR Permit)

14. **Requirements by Reference** - Except where this permit is more restrictive than the applicable requirement, Saturation Line # 2 (SAT2) shall be operated in compliance with the requirements of 40 CFR Part 63, Subparts JJJJ and the adhesive lines (ADH1 & ADH2) and the portion of adhesive line solvent cleaning and thinning (ADSOLV) servicing those lines shall be operated in compliance with the requirements of 40 CFR Part 63, Subparts MMMM. Storage tanks and related equipment, as required, will be operated in compliance with 40 CFR Part 63, Subparts EEEE.

(9 VAC 5-80-110, 9 VAC 5-60-90, 9 VAC 5-60-100, and Condition 12 of the 6/20/07 NSR Permit)

15. **MACT Compliance Methodology** – The permittee has elected to use the option of compliance with an alternate MACT requirement, where the predominant activity involving coating at the facility is subject to the alternate MACT, for demonstration of compliance with MACT MMMM. All equipment designated as subject to MACT MMMM will hereafter comply with the requirements of MACT JJJJ. The permittee has elected to demonstrate compliance with the standards of 40 CFR 63.3770(a)(5) which allows the following options: (1) organic HAP emissions will be no more than 5% of all organic HAP applied on a monthly basis; (2) average equivalent organic HAP emission rate does not exceed 0.2 kg organic HAP per kg coating solids; (3) average organic HAP emission rate does not exceed 0.04 kg organic HAP per kg coating material; or (4) average equivalent organic HAP emission rate does not exceed the calculated limit based on emission limitations. The affected source is the

collection of all coating lines subject to either MACT JJJJ or MACT MMMM. Additionally, the permittee will maintain records to demonstrate that the predominant activity of coating usage subject to MACT standards is MACT JJJJ subject coating. (9 VAC 5-80-110, 9 VAC 5-60-90, 9 VAC 5-60-100, and Condition 13 of the 6/20/07 NSR Permit)

## **B. Monitoring**

1. **Monitoring Devices** - The incinerator/afterburner units shall be equipped with continuous temperature sensors at or near the chamber exit to indicate the temperature in the chamber. The chamber temperature shall be continuously recorded. (9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 2 of 6/20/07 NSR Permit)
2. **Monitoring Devices** - The alkaline scrubbers shall be equipped with flow and pH meters. The scrubber liquid flow rate and the scrubber liquid pH shall be recorded a minimum of once per work shift. (9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 3 of the 6/20/07 NSR Permit)

## **C. Recordkeeping**

**On Site Records** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Air Compliance Manager, West Central Regional Office. These records shall include, but are not limited to:

1. Annual throughput of hydrochloric acid, calculated monthly as the sum of each consecutive 12 month period.
2. Annual throughput of all VOC containing adhesives, coatings, cleaners, and other materials used in saturation operations and adhesive operations necessary to demonstrate compliance with Conditions III-A-7 and III-A-8, calculated monthly as the sum of each consecutive 12 month period.
3. Annual throughput of VOC in saturation operations and adhesive operations necessary to demonstrate compliance with Conditions III-A-7 and III-A-8, calculated monthly as the sum of each consecutive 12 month.
4. Annual throughput of all HAP containing adhesives, coatings, cleaners, and other materials used in saturation operations and adhesive operations, tabulated in a manner acceptable to VDEQ for demonstration of compliance with all applicable MACT requirements. Annual throughput shall be calculated monthly as the sum of each consecutive 12 month period.
5. Annual records of MACT JJJJ subject coating use for Saturation Line # 2 (Sat2, partial SATSOLV) and for the MACT MMMM subject coating lines (Adh1 & Adh2), to demonstrate that the predominant activity of MACT subject coating falls under MACT JJJJ. Coating use shall be recorded at the end of each calendar month for the previous 12-month period.

6. Continuous temperature records for each afterburner/incinerator during all periods of operation, excepting brief periods of instrument maintenance or repair.
7. Once per shift record of the scrubbing liquid pH and flow rate for each alkaline scrubber during all periods of operation.
8. Monthly and annual calculated emissions (in pounds or tons) of volatile organic compounds necessary to demonstrate compliance with Conditions III-A-10 and III-A-11. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period. Emission calculations shall be based on pollutant throughput, destruction efficiencies, and capture efficiencies acceptable to VDEQ.
9. Monthly and annual calculated emissions (in pounds or tons) of volatile organic compounds released as fugitive emissions from the adhesive operations. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period. Emission calculations shall be based on pollutant throughput and capture efficiencies acceptable to VDEQ.
10. Records acceptable to VDEQ to demonstrate compliance with at least one of the MACT JJJJ compliance options specified in 40 CFR 63.3770 (a)(5).
11. Records of most recent stack test performed to establish each minimum incinerator temperature, regardless of test date.
12. Records of scheduled and unscheduled maintenance, and operator training for the afterburner/incinerators and the alkaline scrubbers.

These records shall be available on site for inspection by the VDEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition 22 of the 6/20/07 NSR Permit)

#### **D. Testing**

1. **Testing/Monitoring Ports** - The permitted facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Test ports shall be provided when requested at appropriate locations.  
(9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 8 of the 6/20/07 Permit)
2. **Stack Tests** – At least once during the first half of the term of this permit and additionally upon request by the VDEQ, the permittee shall conduct performance tests for volatile organic compounds from the afterburners/ incinerators to demonstrate compliance with the emission limits, control efficiency requirements, and MACT standards contained in this permit. The tests shall be performed, and demonstrate compliance, within 60 days after notice by the Air Compliance Manager, West Central Regional Office, that the Department has reason to believe that the facility or a portion of the facility is not in compliance with the emission limits of this permit. Tests shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30 of State Regulations, and the test methods and procedures contained in each applicable section or subpart listed in 9 VAC 5-50-410. The details of the tests shall

be arranged with the Air Compliance Manager, West Central Regional Office. The permittee shall submit a test protocol at least 30 days prior to testing. Two copies of the test results shall be submitted to the Air Compliance Manager, West Central Regional Office within 45 days after test completion and shall conform to the test report format enclosed with The New Source Review permit.  
(9 VAC 5-50-30 G, 9 VAC 5-80-110, and Condition 19 of the 6/20/07 NSR Permit)

3. **Stack Tests** – At least once during the first half of the term of this permit and additionally upon request by the VDEQ, the permittee shall conduct performance tests for hydrochloric acid from the alkaline scrubbers to demonstrate compliance with the control efficiency requirements contained in this permit. The tests shall be performed, and demonstrate compliance, within 60 days after notice by the Air Compliance Manager, West Central Regional Office, that the Department has reason to believe that the facility or a portion of the facility is not in compliance with the emission limits of this permit. Tests shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30 of State Regulations, and the test methods and procedures contained in each applicable section or subpart listed in 9 VAC 5-50-410. The details of the tests shall be arranged with the Air Compliance Manager, West Central Regional Office. The permittee shall submit a test protocol at least 30 days prior to testing. Two copies of the test results shall be submitted to the Air Compliance Manager, West Central Regional Office within 45 days after test completion and shall conform to the test report format enclosed with The New Source Review permit.  
(9 VAC 5-50-30 G and 9 VAC 5-80-110)
4. **Control System Tests** - Upon request by the VDEQ, the permittee shall conduct volumetric air flow tests through any portion of the ductwork leading to the afterburners/incinerators to demonstrate compliance with the capture efficiency requirements of this permit.  
(9 VAC 5-50-30 G, 9 VAC 5-80-110, and Condition 20 of the 6/20/07 NSR Permit)
5. **Visible Emissions Evaluation** - Upon request by the VDEQ, the permittee shall conduct additional visible emission evaluations in accordance with 40 CFR, Part 60, Appendix A, Method 9 on any afterburner or alkaline scrubber stack(s) to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests are to be arranged with Air Compliance Manager, West Central Regional Office. The tests shall be performed, and demonstrate compliance, within 60 days after notice by the Air Compliance Manager, West Central Regional Office, that the Department has reason to believe that the facility or a portion of the facility is not in compliance with the emission limits of this permit. Two (2) copies of the test results shall be submitted to the Air Compliance Manager, West Central Regional Office within 45 days after test completion and shall conform to the test report format enclosed with the New Source Review permit.  
(9 VAC 5-50-30 G, 9 VAC 5-80-110, and Condition 21 of the 6/20/07 NSR Permit)

## **E. Reporting**

The reporting requirements for this section are satisfied by the recordkeeping requirements in this section, by the recordkeeping and reporting requirements of the Facility Wide Conditions section, and by the General Conditions section.

## IV. Facility Wide Conditions

### A. Limitations

1. **Plantwide Emission Limits** - Total emissions from the facility shall not exceed the limits specified below:

Volatile Organic Compounds                      46.5 lbs/hr      139.5 tons/yr

Compliance with hourly emission rate shall be determined by dividing the monthly emissions by the operating hours for the month. Annual emissions calculated monthly as the sum of the previous consecutive twelve month period.

(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 16 of the 6/20/07 NSR Permit)

2. **Facility or Control Equipment Malfunction - Hazardous Air Pollutant Processes**

The automotive parts manufacturing process or any subdivision thereof shall, upon request of the Department, shut down immediately if its emissions increase in any amount because of a bypass, malfunction, shutdown or failure of the process or its associated air pollution control equipment. The process(es) shall not return to operation until it and the associated air pollution control equipment are able to operate in the proper manner.

(9 VAC 5-80-110 and 9 VAC 5-60-220)

3. **Violation of Ambient Air Quality Standard** - The permittee shall, upon request of the VDEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.

(9 VAC 5-80-110, 9 VAC 5-20-180 I, and Condition 28 of the 6/20/07 NSR Permit)

4. **Maintenance/Operating Procedures** - The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- b. Maintain an inventory of spare parts.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to VDEQ personnel upon request.

(9 VAC 5-80-110, 9 VAC 5-50-20 E, and Condition 26 of the 6/20/07 NSR Permit)

## **B. Monitoring**

1. **Monitoring** - Each emissions unit with a visible emissions requirement in this permit shall be observed visually at least once each calendar week in which the emissions unit operates. The visual observations shall be conducted using 40 CFR 60 Appendix A Method 22 type techniques (condensed water vapor/steam is not a visible emission) for at least a brief time to only identify the presence of visible emissions. Each emissions unit in the Method 22 type technique observation having visible emissions shall be evaluated by conducting a 40 CFR 60 Appendix A Method 9 visible emissions evaluation (VEE) for at least six (6) minutes, unless corrective action is taken that achieves no visible emissions. 40 CFR 60 Appendix A Method 9 requires the observer to have a Method 9 certification that is current at the time of the VEE. If any of these six (6) minute VEE averages exceed the unit's opacity limitation, a VEE shall be conducted on these emissions for at least three (3) six-minute periods (at least 18 minutes). All visible emission observations, VEE results, and corrective actions taken shall be recorded. If visible emissions inspections conducted during twelve (12) consecutive weeks show no visible emissions for a particular emissions unit, the permittee may reduce the monitoring frequency to once per month for that stack. The permittee shall notify the Air Compliance Manager, West Central Regional Office, when the monitoring frequency is reduced from at least each calendar week to at least each calendar month. Anytime a monthly visible emissions evaluation shows visible emissions, or when requested by DEQ, the monitoring frequency shall be increased to once per week for that stack.

(9 VAC 5-80-110)

## **C. Recordkeeping**

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Air Compliance Manager, West Central Regional Office. These records shall include, but are not limited to:

1. A record of the VOC content, water content, and solids content for each coating, adhesive, cleaning solution, or other VOC-containing material referenced in Conditions III-A-7, III-A-8, or otherwise contributing to regulated VOC or HAP emissions from the facility, based on a certified product data sheet from the material vendor or testing of the material using an EPA approved testing methodology such as 40 CFR part 60, Appendix A EPA Reference Method 24 or equivalent.
2. Monthly and annual calculated emissions (in pounds or tons) of volatile organic compounds from the facility as a whole. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period. Emission calculations shall be based on pollutant throughput, destruction efficiencies, and capture efficiencies acceptable to VDEQ.
3. Monthly and annual calculated emissions (in pounds or tons) of total Hazardous Air Pollutant emission and emissions of any single Hazardous Air Pollutant in excess of

10.0 tons per year from the facility as a whole. Annual emissions shall be calculated monthly as the sum of each consecutive 12 month period. Emission calculations shall be based on pollutant throughput, destruction efficiencies, and capture efficiencies acceptable to VDEQ.

4. Results of all stack tests, visible emission evaluations and performance evaluations.
5. The permittee shall maintain records of the occurrence and duration of any bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment that results in excess emissions for more than one hour. Records shall include the date, time, duration, description (emission unit, pollutant affected, cause), corrective action, preventive measures taken and name of person generating the record.
6. Weekly or monthly records, as required, of opacity evaluations including all Method 22 type evaluations, all Method 9 evaluations, all malfunction adjustments associated with opacity observations, and a record of any afterburners or scrubbers which did not operate during the weekly or monthly evaluation period.

These records shall be available on site for inspection by the VDEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110, and/or Conditions 22 and 27 of the 6/20/07 NSR Permit)

#### **D. Testing**

1. **Testing/Monitoring Ports** - The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.  
(9 VAC 5-50-30, 9 VAC 5-80-110, and Condition 8 of the 6/20/07 NSR Permit)

#### **E. Reporting**

1. **Notification for Control Equipment Maintenance** - The permittee shall furnish notification to the Air Compliance Manager, West Central Regional Office of the intention to shut down or bypass, or both, air pollution control equipment for necessary scheduled maintenance, which results in excess emissions for more than one hour, at least 24 hours prior to the shutdown. The notification shall include, but is not limited to, the following information:
  - a. Identification of the air pollution control equipment to be taken out of service, as well as its location, and registration number;
  - b. The expected length of time that the air pollution control equipment will be out of service;
  - c. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period;

- d. Measures that will be taken to minimize the length of the shutdown or to negate the effect of the outage.

(9 VAC 5-80-110 and 9 VAC 5-20-180 B)

- 2. **Notification for Facility or Control Equipment Malfunction** - The permittee shall furnish notification to the Air Compliance Manager, West Central Regional Office of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by facsimile transmission, telephone, or e-mail. Such notification shall be made as soon as practicable but no later than four daytime business hours after the malfunction is discovered. The permittee shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within two weeks of the discovery of the malfunction. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify Air Compliance Manager, West Central Regional Office in writing.

(9 VAC 5-80-110, 9 VAC 5-20-180, and Condition 24 of the 6/20/07 NSR Permit)

- 3. **Reports for Facility or Control Equipment Malfunction** - Within 30 days of a failure or malfunction that is expected to exist for 30 days or more, and semi-monthly thereafter until the failure or malfunction is corrected, the permittee shall furnish written reports to the Air Compliance Manager, West Central Regional Office containing the following:

- a. Identification of the specific facility that is affected as well as its location and registration number;
- b. The expected length of time that the air pollution control equipment will be out of service;
- c. The nature and quantity of air pollutant emissions likely to occur during the breakdown period;
- d. Measures taken to reduce emissions to the lowest amount practicable during the breakdown period;
- e. A statement as to why the owner was unable to obtain repair parts or perform repairs that which would allow compliance with the provisions of these regulations within 30 days of the malfunction or failure;
- f. An estimate, with reasons given, of the duration of the shortage of repairs or repair parts which would allow compliance with the provisions of these regulations; and
- g. Any other pertinent information as may be requested by the board.

(9 VAC 5-20-180 D, 9 VAC 5-80-110 and Condition 23 of the 6/20/07 NSR Permit)

All other reporting requirements for this section are satisfied by the recordkeeping requirements in this section and the General Conditions section.

## V. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
BOILER	Mohawk N.G. boiler, Model SN 4-5-508,	9 VAC 5-80-720C	PM, CO, VOC, SO <sub>2</sub> , NO <sub>x</sub>	4,200,000 BTU/hr
CO-1	N.G. curing oven	9 VAC 5-80-720C	PM, CO, VOC, SO <sub>2</sub> , NO <sub>x</sub>	160,000 BTU/hr
CO-2	N.G. curing oven	9 VAC 5-80-720C	PM, CO, VOC, SO <sub>2</sub> , NO <sub>x</sub>	160,000 BTU/hr
CO-3	N.G. curing oven	9 VAC 5-80-720C	PM, CO, VOC, SO <sub>2</sub> , NO <sub>x</sub>	160,000 BTU/hr
RS-1	N.G. roll sizer	9 VAC 5-80-720C	PM, CO, VOC, SO <sub>2</sub> , NO <sub>x</sub>	20,000 BTU/hr
PB-TC	N.G. press bonder	9 VAC 5-80-720C	PM, CO, VOC, SO <sub>2</sub> , NO <sub>x</sub>	730,000 BTU/hr
A350-1	350 gal resin tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
A350-2	350 gal resin tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
C1600	1600 gal methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
C350-1	350 gal methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
C350-2	350 gal methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
C350-3	350 gal methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
C350-4	350 gal methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
C350-5	350 gal methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
C350-6	350 gal methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
DL1ASolv	18 gal methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
DL1AAdh	26 gal adhesive tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
DL1AVis	1 gal viscosity mix tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
DL1BSolv	18 gal methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
DL1BAdh	26 gal adhesive tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
DL1ABis	1 gal viscosity mix tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
DL2Mix	18 gal mixing tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
DL3Mix	17 gal mixing tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
TC1GMix	30 gal mixing tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
TC1BMix	17 gal mixing tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
TC2Mix	17 gal mixing tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
B1600	1600 gal resin tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
A1600	1600 gal resin tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
A2000	2000 gal resin tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
B2000	2000 gal resin tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
A5500*	5500 gal resin tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
B5500*	5500 gal resin tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
A90-1	90 liter resin/methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
A90-2	90 liter resin/methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
AB280-1	280 gal resin/methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
AB280-2	280 gal resin/methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
AB280-3	280 gal resin/methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
C110	110 gal methanol tank	9 VAC 5-80-720B	VOC	VOC < 5 tpy
DEGEAS	Degreasing stations	9 VAC 5-80-720B	VOC	VOC < 5 tpy

These insignificant emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110. Many of these tanks, although insignificant are subject to notification, record keeping, and reporting requirements of MACT EEEE (Organic Liquid Distribution).

\* These tanks are subject to 40 CFR 63.2343 (b)

## VI. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility, or portions thereof:

Citation	Title of Citation	Description of Applicability
9 VAC 5-40-900	Particulate Matter Standard for Fuel Burning Equipment	All fuel burning equipment at the facility is exempt from this requirement and exempt from permit requirements in general under 9 VAC 5-80-1320
9 VAC 5-40-930	Sulfur Dioxide Standard for Fuel Burning Equipment	All fuel burning equipment at the facility is exempt from this requirement and exempt from permit requirements in general under 9 VAC 5-80-1320
MACT QQQQQ	Friction Products MACT	From determination letter of June 16, 2005, this regulation does not apply to the facility.
(MACT MMMM)	Miscellaneous Metal Coating MACT	This MACT does not apply to the manufacturing process on the Sat1 production line, based on the determination letter of July 10, 2006.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.  
(9 VAC 5-80-140)

## VII. Compliance Plan – not applicable

## **VIII. General Conditions**

### **A. Federal Enforceability**

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

### **B. Permit Expiration**

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

### C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
  - a. The date, place as defined in the permit, and time of sampling or measurements.
  - b. The date(s) analyses were performed.
  - c. The company or entity that performed the analyses.
  - d. The analytical techniques or methods used.
  - e. The results of such analyses.
  - f. The operating conditions existing at the time of sampling or measurement.  
(9 VAC 5-80-110 F)
2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.  
(9 VAC 5-80-110 F)
3. The permittee shall submit the results of monitoring contained in any applicable requirement to VDEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
  - a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
  - b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:
    - (1) Exceedance of emissions limitations or operational restrictions;
    - (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
    - (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
  - c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

- d. The report shall be sent to the following address:

Air Compliance Manager  
VA DEQ  
3019 Peters Creek Road  
Roanoke, VA 24019

(9 VAC 5-80-110 F)

#### **D. Annual Compliance Certification**

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and VDEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.
7. This annual compliance certification shall be sent to the following addresses:

Air Compliance Manager  
VA DEQ  
3019 Peters Creek Road  
Roanoke, VA 24019

U. S. Environmental Protection Agency, Region III  
Clean Air Act Title V Compliance Certification (3AP00)  
1650 Arch Street  
Philadelphia, PA 19103-2029

(9 VAC 5-80-110 K.5)

**E. Permit Deviation Reporting**

The permittee shall notify the Air Compliance Manager, West Central Region within four daytime business hours, after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition IX.C.3. of this permit. (9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

**F. Failure/Malfunction Reporting**

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Air Compliance Manager, West Central Region by facsimile transmission, telephone or e-mail of such failure or malfunction and shall within fourteen days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Air Compliance Manager, West Central Region. (9 VAC 5-20-180 C)

**G. Severability**

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit. (9 VAC 5-80-110 G.1)

**H. Duty to Comply**

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application. (9 VAC 5-80-110 G.2)

**I. Need to Halt or Reduce Activity not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.  
(9 VAC 5-80-110 G.3)

**J. Permit Modification**

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.  
(9 VAC 5-80-190 and 9 VAC 5-80-260)

**K. Property Rights**

The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110 G.5)

**L. Duty to Submit Information**

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.  
(9 VAC 5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110 K.1)

**M. Duty to Pay Permit Fees**

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.  
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

**N. Fugitive Dust Emission Standards**

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

**O. Startup, Shutdown, and Malfunction**

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E)

**P. Alternative Operating Scenarios**

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

**Q. Inspection and Entry Requirements**

The permittee shall allow VDEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

**R. Reopening For Cause**

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

**S. Permit Availability**

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to VDEQ upon request.

(9 VAC 5-80-150 E)

#### **T. Transfer of Permits**

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.  
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.  
(9 VAC 5-80-160)

#### **U. Malfunction as an Affirmative Defense**

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
  - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
  - b. The permitted facility was at the time being properly operated.
  - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
  - d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.

3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.  
(9 VAC 5-80-250)

**V. Permit Revocation or Termination for Cause**

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.  
(9 VAC 5-80-190 C and 9 VAC 5-80-260)

**W. Duty to Supplement or Correct Application**

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.  
(9 VAC 5-80-80 E)

**X. Stratospheric Ozone Protection**

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.  
(40 CFR Part 82, Subparts A-F)

**Y. Asbestos Requirements**

The permittee shall comply with the requirements of National Emissions Statements for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).  
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

**Z. Accidental Release Prevention**

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.  
(40 CFR Part 68)

**AA. Changes to Permits for Emissions Trading**

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.  
(9 VAC 5-80-110 I)

**BB. Emissions Trading**

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

**IX. State-Only Enforceable Requirements**

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

1. State toxics rule      9 VAC 5-50-320

This facility has elected to exclude certain requirements of the New Source Review permit from this operating permit. Those requirements are available for review in the statement of legal and factual basis prepared to accompany this operating permit.

(9 VAC 5-80-110 N and 9 VAC 5-80-300)